

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

STEPHAN FLEMENS and GEORGE JONES,
on behalf of themselves and all others similarly
situated, JOSE RODRIGUEZ, WAI YUN AU,
MICHAEL WILLIAMS, and NORMAN FORBES,
Individually,

Plaintiffs,

- against -

THE ANTHEM COMPANIES, INC., THE ANTHEM
COMPANIES INDIANA, AMERIGROUP NEW
YORK, LLC, d/b/a AMERIGROUP, and
AMERIGROUP IPA OF NEW YORK, LLC, d/b/a
AMERIGROUP,

Defendants.

Civil Action No.: 1:17-CV-
07088-RER

**STIPULATION AND ~~(PROPOSED)~~ ORDER APPROVING FLSA SETTLEMENT AND
DISMISSING ACTION WITH PREJUDICE**

WHEREAS, on or about December 12, 2017, STEPHAN FLEMENS, GEORGE JONES, JOSE RODRIGUEZ, WAI YUN AU, MICHAEL WILLIAMS, and NORMAN FORBES (the “Named Plaintiffs”) commenced an action against ANTHEM, INC., AND AMERIGROUP CORPORATION¹ (“Defendants”);

WHEREAS, LUIS DeJESUS, RICHARD RONDON, FRANCISCO SANTIAGO, CHERYL BEST; CHRISTOPHER ALFORO FUNG; STEVEN ANTHONY GOETZ, JR.;

¹ Plaintiffs misnamed ANTHEM COMPANIES, INC., THE ANTHEM COMPANIES INDIANA, AMERIGROUP NEW YORK, LLC, and AMERIGROUP IPA OF NEW YORK, LLC as defendants in this lawsuit. To the extent any of these entities exist or existed, they are expressly included in this Agreement.

ELIEZER GUERRA; RAYMOND HERNANDEZ, JR.; ALCEDO QUEZADA; ISRAEL RODRIGUEZ; and DANIEL ST. VRESTIL have each filed consent forms with the Court, affirmatively electing to participate in the Lawsuit pursuant to 29 U.S.C. § 216(b);

WHEREAS, the Parties participated in extensive settlement discussions, attended a mediation, and reached a settlement of Plaintiffs' claims through arms-length negotiations;


WHEREAS, the Parties have entered into a Settlement Agreement and Release, dated April 9, 2019 ("Agreement"), memorializing the terms of the Parties' settlement; and


WHEREAS, this Court has reviewed the Agreement, finds that its terms provide for a fair and reasonable resolution of a bona fide dispute over a provision or provisions of the FLSA and/or time worked, and thereby approves the settlement.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between counsel for Plaintiffs and Defendants, and pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, that this action is dismissed with prejudice, with no award of counsel fees or costs by this Court to either party, and that this Court shall retain jurisdiction to enforce the terms of the Agreement.

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DONE AND ORDERED this 11th day of April, 2019.

/s/ *Ramon E. Reyes, Jr.*

United States Magistrate Judge